

REMARKS

This amendment is being filed in response to the final Office Action dated April 14, 2009 (hereinafter “the Office Action”) and further in response to the Advisory Action dated July 6, 2009 (hereinafter the “Advisory Action”). All objections and rejections are respectfully traversed.

In the June 15, 2009 response to the Office Action, Applicants amended claims 12-16 and 18-21 to better claim the invention. Applicants thank the Examiner for entering these amendments (Advisory Action at page 2), and for indicating that amendments overcome the 35 U.S.C. §101 rejection.

Now pending in the application are claims 1-50. Claims 37-50 were withdrawn from further consideration in response to the Examiner’s restriction requirement dated June 30, 2006. Amongst claims 1-36, claims 1, 12, 22 and 28 are independent. Claims 1-4, 12, 22, 28-29, and 31-33 are amended herein. No new matter has been added.

Support for the amendments can be found at least in the present application at page 34, line 4 through page 35, line 14, and in Figures 7 and 8A. Further detail regarding the claimed context storage can be found at pages 34 through 40.

Applicants thank the Examiner for suggesting subject matter which may serve as the basis of an amendment to potentially advance prosecution (Advisory Action at page 2). The present Response includes amendments directed to the subject matter suggested by the Examiner. Applicants further thank the Examiner for suggesting that Applicants arrange an interview with the Examiner to discuss the continued prosecution of this case. Applicants will contact the Examiner to arrange such an interview soon after the present Response is filed.

I. Summary of Rejections

In the Advisory Action:

the rejection of claims 1, 12-19, 21, 24, 28 and 31 under 35 U.S.C. §103(a) as being obvious over U.S. Patent No. 6,882,940 to Potts, *et al.* (hereinafter “Potts”) in view of a reference cited as “Fox” is maintained;

the rejection of claims 1-30 and 32-36 under 35 U.S.C. §103(a) as being unpatentable over “Mathematical Simulation and Analysis of Cellular Metabolism and Regulation” by I. Goryanin, *et al.*, Bioinformatics, 1999, Vol. 15, No. 9, pp.749-758 (hereinafter “Goryanin”) in view of “Tissue Microarray (TMA) Technology: Miniaturized Pathology Archives for High-throughput *in situ* Studies” by L. Bubendorf, *et al.*, Journal of Pathology, 2001, Vol. 195, pp.72-79 (hereinafter “Bubendorf”) was maintained.

These rejections will be discussed separately below.

II. Claim Rejections under 35 U.S.C. §103(a) in view of Potts and Fox

In the Advisory Action, the Examiner rejected claims 1, 12-19, 21, 24, 28 and 31 under 35 U.S.C. §103(a) as being obvious over Potts in view of Fox (*See* the Office Action, page 5). Applicants respectfully traverse this rejection.

Each of independent claims 1, 12, 22, and 28 are amended to recite *storing a simulation context of the simulation by registering an area of memory that constitutes the simulation context*. Applicants respectfully urge that that Potts and Fox, alone or in any reasonable combination, do not disclose or suggest at least the above-quoted feature of claims 1, 12, 22, and 28.

As described in the present Specification at page 40, storing the simulation context may be useful in order to preserve the context before a model is modified. For example, if a user wishes to test different alternative designs, the stored context may be used to run multiple analyses from a common reproducible point (Specification at page 40, lines 10-11).

Potts and Fox are each silent with regards to *storing a simulation context of the simulation by registering an area of memory that constitutes the simulation context*.

Potts is generally concerned with monitoring, for example, glucose values in order to predict a hypoglycemic event in a subject (Potts at Abstract). Accordingly, Potts is not concerned with a simulation context, and does not disclose *storing a simulation context of the simulation by registering an area of memory that constitutes the simulation context*.

Fox is generally concerned with methods for inferring a network model of the interactions of biological molecules (Fox at Abstract). However, Fox is entirely silent with regards to a simulation context. Indeed, nowhere does Fox disclose or suggest *storing a simulation context of the simulation by registering an area of memory that constitutes the simulation context*

For at least the reasons set forth above, Applicants respectfully urge that Potts and Fox, alone or in any reasonable combination, do not disclose or suggest Applicants' claims 1, 12, 22, and 28. Claims 13-19 and 21 depend from claim 12, claim 24 depends from claim 22, and claim 31 depends from claim 28. Therefore, Applicants respectfully request that the above 35 U.S.C. §103(a) rejection of claims 1, 12-19, 21, 24, 28 and 31 be withdrawn.

III. Claim Rejections under 35 U.S.C. §103(a) in view of Goryanin and Bubendorf

In the Advisory Action, the Examiner rejected claims 1-30 and 32-36 under 35 U.S.C. §103(a) as being unpatentable over Goryanin in view of Bubendorf (*See* the Office Action, pages 7-9). Applicants respectfully traverse this rejection.

As noted above, each of independent claims 1, 12, 22, and 28 recite *storing a simulation context of the simulation by registering an area of memory that constitutes the simulation context*. Applicants respectfully urge that that Goryanin and Bubendorf, alone or in any reasonable combination, do not disclose or suggest at least the above-quoted feature of claims 1, 12, 22, and 28.

Goryanin is generally directed to the mathematical simulation and analysis of cellular metabolism and regulation. While Goryanin does discuss a "simulation" (Goryanin at page 750) Goryanin is silent with respect to a simulation context. Accordingly, Goryanin does not disclose or suggest *storing a simulation context of the simulation by registering an area of memory that constitutes the simulation context*.

Bubendorf is generally directed to tissue microarray technology involving high-throughput in situ studies. Because Bubendorf is directed only to accelerating the analysis of tissue samples in in-situ studies (Bubendorf at page 72), Bubendorf does not consider a simulation of a block diagram model, and further is silent with respect to a simulation context.

Accordingly, Bubendorf does not disclose or suggest *storing a simulation context of the simulation by registering an area of memory that constitutes the simulation context*.

For at least the reasons set forth above, Applicants respectfully urge that Goryanin and Bubendorf, alone or in any reasonable combination, do not disclose or suggest Applicants' claims 1, 12, 22, and 28. Claims 2-11 depend from claim 1, claims 13-21 depend from claim 12, claims 23-27 depend from claim 22, and claims 29-30 and 32-36 depend from claim 28. Therefore, Applicants respectfully request that the above 35 U.S.C. §103(a) rejection of claims 1-30 and 32-36 be withdrawn.

CONCLUSION

In view of the above comments, Applicants believe that the pending application is in condition for allowance and urges the Examiner to pass the claims to allowance. Should the Examiner feel that a teleconference would expedite the prosecution of this application, the Examiner is urged to contact the Applicant's attorney at (617) 227-7400.

Please charge any shortage or credit any overpayment of fees to our Deposit Account No. 12-0080, under Order No. MWS-109RCE. In the event that a petition for an extension of time is required to be submitted herewith, and the requisite petition does not accompany this response, the undersigned hereby petitions under 37 C.F.R. §1.136(a) for an extension of time for as many months as are required to render this submission timely. Any fee due is authorized to be charged to the aforementioned Deposit Account.

Dated: August 14, 2009

Respectfully submitted,

Electronic signature: /Kevin J. Canning/
Kevin J. Canning
Registration No.: 35,470
LAHIVE & COCKFIELD, LLP
One Post Office Square
Boston, Massachusetts 02109-2127
(617) 227-7400
(617) 742-4214 (Fax)
Attorney/Agent For Applicant